



February 23, 2024

**VIA ECF**

The Honorable Dale E. Ho  
U.S. District Judge  
U.S. District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: United States v. M/Y Amadea, No. 23-cv-9304 (DEH)

Dear Judge Ho:

We represent Claimants in the above-referenced matter. Later today, Claimants intend to file their opposition to the government's Motion for Interlocutory Sale. In support of their motion, Claimants intend to file documents with names and other identifying information of former crew members redacted, and now seek leave of the Court to permit Claimants to do so. These documents include two affidavits of the former crew members and the Declaration of Anthony Rossitto, which references those crew member affidavits.

We redacted the crew members' names and other personal identifying information in the above-listed documents, in order to protect their identities from the public. The government has made allegations of criminal conduct against at least one of these individuals in its Amended Complaint, and has chosen not to reveal their names. Former crew members of the Amadea have suffered career consequences and worse, based on their prior work on the Amadea or related vessels. We respectfully request that the Court permit Claimants to publicly-file the redacted versions of these documents. Pursuant to Your Honor's Individual Rules, simultaneous to this letter, we are filing the redacted versions of the above-listed documents on the public docket, and the unredacted versions with highlights under seal.

We appreciate the Court's consideration of this request.

Respectfully Submitted,

/s/ Adam C. Ford

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Counsel for Claimants Eduard  
Yurievich Khudainatov and  
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Application **GRANTED**. Although materials submitted in connection with discovery motions are subject to a public right of access, that right is qualified and may be overcome by competing considerations, such as protecting the personally identifying information of non-parties. *See Brown v. Maxwell*, 929 F.3d 41, 48 n. 22, 53 (2d Cir. 2019). The information that Claimants seek to file under seal—the names and other identifying information of the Amadea's crew members—is private and unrelated to the adjudication of the Government's motion for an interlocutory sale. Further, the proposed sealing is narrowly tailored, in that Claimants seek redaction only of the crew members' names and personal information. This is sufficient to override the public's qualified right of access to the motion papers. So Ordered.

The Clerk of Court is respectfully directed to maintain the documents at ECF Nos. 50-52 under seal and to close the motion at ECF No. 46.

Dale E. Ho  
United States District Judge  
Dated: February 26, 2024  
New York, New York